

SAM MARALAN  
3080 Bristol Street, Suite 630  
Costa Mesa, California 92626  
Telephone: (714) 641-0506  
Facsimile: (714) 641-3604  
sm@maralanlaw.com

*In Pro Per*  
*Plaintiff*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

SAM MARALAN, an individual,

Plaintiff,

vs.

NEVADA PROPERTY 1, LLC, a  
Nevada limited liability company d/b/a  
THE COSMOPOLITAN OF LAS  
VEGAS; WYNN LAS VEGAS, LLC, a  
Nevada limited liability company d/b/a  
XS NIGHTCLUB; and DOES 1 through  
50 inclusive.

Defendants.

Case No.: 2:21-cv-02220-CDS-VCF

**SECOND JOINT STIPULATION  
AND ORDER EXTENDING  
PLAINTIFF'S RESPONSE TO  
DEFENDANT WYNN LAS  
VEGAS, LLC'S MOTION TO  
DISMISS**

Motion Filed: March 24, 2022  
Opposition Due: April 28, 2022  
Proposed Opposition Due Date: May  
12, 2022

1 Plaintiff Sam Maralan (“Plaintiff”) and Defendant Wynn Las Vegas dba XS  
2 (“Wynn”) (collectively, the “Parties”), respectfully submit the following Stipulation  
3 and Proposed Order, as follows:

- 4 1. On March 24, 2022, Wynn filed a Motion to Dismiss as to Plaintiff’s  
5 Complaint [Dkt. No. 21];
- 6 2. On April 5, 2022, the Parties stipulated to extend Plaintiff’s Opposition  
7 deadline. [Dkt. No. 23];
- 8 3. On April 6, 2022, the Court granted the Parties’ Stipulation and ordered  
9 Plaintiff’s Opposition extended to April 28, 2022 and Wynn’s Reply due  
10 May 5, 2022;
- 11 4. The Parties hereby agree and stipulate to extend Plaintiff’s Opposition  
12 date and Wynn’s Reply date by two (2) weeks; and
- 13 5. The proposed deadline for Plaintiff’s Opposition shall be May 12, 2022  
14 and Wynn’s Reply shall be May 26, 2022.
- 15 6. Pursuant to Local Rule IA 6-1, this is the second stipulation for extension  
16 to submit Opposition and Reply papers to Wynn’s Motion to Dismiss.  
17 The basis for the extension is that Plaintiff intends on amending his  
18 Complaint to raise new facts and allegations as to Defendant Nevada  
19 Property 1, LLC (“Cosmopolitan”) related to a second incident that  
20 occurred at their premises on March 31, 2022. Wynn has stipulated to  
21 Plaintiff filing his First Amended Complaint, but Cosmopolitan has not  
22 agreed to Plaintiff’s request. Plaintiff has and continues to attempt to  
23 fulfill his meet and confer efforts pursuant to Local Rule IA 1-3(f). To  
24 date, Plaintiff has not received a response from Cosmopolitan to  
25 coordinate a “direct dialogue” meet and confer conference. Plaintiff  
26 intends on filing his ex parte for leave to amend the Complaint on April  
27 29, 2022 and he will address his efforts to comply with the local rule in  
28 light of Cosmopolitan’s silence.

**JOINT STIPULATION**

1  
2 **1. WHEREAS**, Plaintiff's Opposition to Wynn's Motion to Dismiss shall  
3 be due May 12, 2022;

4 **2. WHEREAS**, Wynn's Reply to the Motion to Dismiss shall be due May  
5 26, 2022.

6 **IT IS SO STIPULATED.**

7  
8 DATED: April 27, 2022

9  
10 By: /s/ Tye Hanseen  
11 Tye Hanseen  
12 Attorneys for Defendant  
13 Wynn Las Vegas

14 DATED: April 27, 2022

15 By: /s/ Sam Maralan  
16 Sam Maralan  
17 Plaintiff

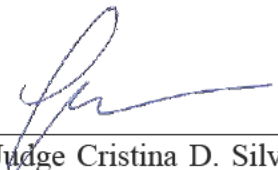
**ATTESTATION OF AUTHORIZED FILING**

18 I hereby attest that I have received authorization for the electronic signatures  
19 indicated by a "conformed" signature (/s/) within this e-filed document.

20 /s/ Sam Maralan

**ORDER**

21  
22 Based on the Parties' stipulation and good cause appearing, IT IS  
23 ORDERED THAT Plaintiff's Opposition to Wynn's Motion to Dismiss is due May  
24 12, 2022; and Wynn's reply brief is due May 26, 2022.

25  
26  
27   
28 U.S. District Judge Cristina D. Silva  
Dated: May 12, 2022

**CERTIFICATE OF SERVICE**

I am employed in the County of Orange, State of California. I declare that I am over the age of eighteen (18). My business address is 3080 Bristol Street, Suite 630, Costa Mesa, California 92626.

On **April 27, 2022**, I served the foregoing documents described as:

**1. SECOND JOINT STIPULATION AND [PROPOSED] ORDER EXTENDING PLAINTIFF'S RESPONSE TO DEFENDANT WYNN LAS VEGAS, LLC'S MOTION TO DISMISS**

on all interested parties in this action as stated on the Service List

☐ **BY MAIL** - I deposited such envelope in the mail at Costa Mesa, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing of correspondence for mailing. Under that practice it would be deposited with the United Postal Service on that same day with postage thereon fully prepaid at Costa Mesa, California in the ordinary course of business. I am aware that on motion of the party served service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

☐ **BY OVERNIGHT DELIVERY** - I deposited such envelope for collection and delivery by a well-known overnight delivery service, i.e., Federal Express or Overnight Express with delivery fees paid or provided for in accordance with ordinary business practices. I am "readily familiar" with the firm's practice of collection and processing packages for overnight delivery by Federal Express and Overnight Express for receipt on the same day in the ordinary course of business.

☒ **BY ELECTRONIC TRANSMISSION** - via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk.

☐ **BY FACSIMILE TRANSMISSION** - I caused the above-referenced document(s) to be transmitted to the office(s) of the addressee(s) identified on the attached service list, and the transmission was reported as complete and without error.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **April 27, 2022**, at Costa Mesa, California.



Sam Maralan

**SERVICE LIST**

LARRY H. LUM, ESQ.  
KAREN L. BASHOR, ESQ.  
ELISA WYATT, ESQ.  
WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP  
6689 Las Vegas Blvd. South, Suite 200  
Las Vegas, NV 89119  
(702) 727 1264; FAX (702) 727 1401  
[larry.lum@wilsonelser.com](mailto:larry.lum@wilsonelser.com)  
[karen.bashor@wilsonelser.com](mailto:karen.bashor@wilsonelser.com)  
[elisa.wyatt@wilsonelser.com](mailto:elisa.wyatt@wilsonelser.com)

*Attorneys for Defendant Nevada Property I LLC  
dba The Cosmopolitan of Las Vegas*

MARQUIS AURBACH  
CRAIG R. ANDERSON, ESQ.  
TYE S. HANSEEN, ESQ.  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Telephone: (702) 382-0711  
Facsimile: (702) 382-5816  
[canderson@maclaw.com](mailto:canderson@maclaw.com)  
[thanseen@maclaw.com](mailto:thanseen@maclaw.com)

*Attorneys for Defendant  
WYNN LAS VEGAS, LLC, a Nevada limited liability company  
dba XS NIGHTCLUB*